



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

929 CRIMINAL APPLICATION NO. 3734 OF 2025

BABURAO SAKHARAM CHINCHOKE

....Applicant

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

.....Respondents

Mr. N. V. Chavan, Advocate for the applicant

Mr. P. M. Kulkarni, APP for the respondents/State

CORAM : ABHAY J. MANTRI, J.

DATE : 02nd DECEMBER, 2025

PER COURT :

1. By this petition, the petitioner is challenging the order dated 23-01-2024, passed by the learned Sessions Judge, Nanded in OMCA No. 69/2023, whereby rejected the application to transfer the Sessions Case No. 112/2016 and 63/2017 from the learned Additional Sessions Judge-2 to the learned Additional Sessions Judge-1 where the Sessions Case No. 113/2016 is pending.

2. Heard the learned advocates for both parties and perused the impugned order and record.

3. On perusal of the order, it appears that in para 5 and 6, the learned Additional Sessions Judge has categorically observed that two crimes have occurred at different points of time and the stages of

both the trials are different, and at such a stage, there is no scope to invoke the power under section 408 of the Cr. P. C., and there is no sufficient cause to transfer the Sessions Case Nos. 112/2016 and 63/2017 to the learned Additional Sessions Judge-1, Nanded and the application was rejected.

4. However, the learned advocate for the applicant failed to point out that the said order is illegal or perverse. Moreover, he failed to explain why he wants to transfer both matters from the learned Additional Sessions Judge-2, Nanded, to the learned Additional Sessions Judge-1, Nanded, when the incidents occurred on different dates in both crimes.

5. As such, I do not find substance in his contention to transfer both matters to the learned Additional Sessions Judge-1.

6. Apart from that, the applicant has filed this application under Section 482 of the Cr. P. C. before this Court, which is not tenable.

7. Having considered the same, the criminal application being devoid of merits, stands dismissed. No order as to costs.

8. Inform the learned Additional Sessions Judge accordingly.

[ABHAY J. MANTRI, J.]